

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOMINIQUE PARENTI,

Plaintiff,

Index No. 08-CV-2932

-against-

STONY POINT PIZZERIA, INC. d/b/a
BOCCI'S ITALIAN RESTAURANT and
NEIL MEOLA

ANSWER

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Defendants STONY POINT PIZZERIA, INC. d/b/a BOCCI'S ITALIAN
RESTAURANT and NEIL MEOLA by their attorneys, Blustein, Shapiro, Rich &
Barone, LLP, as and for their Answer to the Complaint alleges as follows:

1. Defendants deny the allegation contained in paragraphs 2,5,8 (that
defendant Miola is principal and sole owner of defendant Stony Point),10,11,15,16, 17
(that plaintiff alleges violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C.
§2000(e), 18,20,21,22 (that defendant Miola is the sole owner of defendant Stony Point),
23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51
52,53.

2. Defendants admit to allegations contained in paragraphs 3,4,6,8(only that
defendant Miola is an officer and employee of defendant Stony Point) 9, 17 (only with
respect that each of the defendants reside, are found, transact business, have agents and
are within the jurisdiction of this district and of this Court for the purposes of service of
process); 19,22 (only that defendant Miola is a controlling shareholder of defendant
Stony Point).

3. Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraphs 1,7,12,13,14, 17 (as to plaintiff's residence).

4. Defendants deny each and every allegation of fact set forth in the complaint that was not hereinbefore specifically admitted or denied.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

5. The Complaint fails, in whole or in part, to state a claim upon which relief can be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

6. This Court lacks subject matter jurisdiction over this matter.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

7. Plaintiff's claims are barred, in whole or in part, due to the Statute of Limitations.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

8. Plaintiff's claims are barred, in whole or in part, because she received full payment for all work she performed.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

9. Plaintiff's claims are barred, in whole or in part, by the doctrine of estoppel and/or laches.

WHEREFORE, defendants Stony Point Pizzeria, Inc. d/b/a Bocci's Italian Restaurant and Neil Miola pray that the Court enter a judgment dismissing the Complaint, and granting defendant its costs, including attorneys fees, incurred in this action, together with such costs and further relief as this Court deems just and proper.

Dated: Middletown, New York
April 18, 2008

BLUSTEIN, SHAPIRO, RICH & BARONE, LLP

/s/ Carol C. Pierce

Carol C. Pierce (CP 7152)

Attorneys for Defendants Stony Point Pizzeria, Inc.

D/b/a Bocci's Italian Restaurant and Neil Miola

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